

REMARKS

Upon receipt of this response, the Examiner is respectfully requested to contact the undersigned representative of the Applicant to arrange a telephone interview concerning the inventive merits of this application.

Fig. 6 of the drawings is amended, per the attached, to overcome a few noted informalities contained therein. The accompanying new Replacement Sheet of formal drawing incorporates all of the requested drawing amendments. If any further amendment to any of the drawings is believed necessary, the Examiner is invited to contact the undersigned representative of the Applicant to discuss the same.

The above amended paragraph of the specification is amended to now be consistent with the above entered amendments to Fig. 6. The undersigned avers that none of the above amendments to paragraph [034] of the specification nor the amendments to Fig. 6 contain any new subject matter.

Next, claims 13-20 are rejected, under 35 U.S.C. § 102(e), as being anticipated by Callan et al. '038 (US 2003/0132038) while claim 21 is rejected, under 35 U.S.C. § 103(a), as being unpatentable over Callan et al. '038 in view of Hagin et al. '020 (US 4,778,020). The Applicant acknowledges and respectfully traverses the raised anticipatory and obviousness rejections in view of the above claim amendments and the following remarks.

In order to fully distinguish the present claimed invention from the applied art of Callan et al. '038 and Hagin et al. '020, independent claims 13, 25 and 26 are amended to limit the claims to a lift truck having *undriven rear wheels* and a *single front wheel in which only the front wheel is driven*. It is respectfully submitted that Callan et al. '038 relates to an arrangement in which all three wheels of the truck are driven which is distinctly different from the presently claimed invention.

It is respectfully submitted driving only the front wheel of the fork lift truck, in the manner now claimed, overcomes a traction problem which has been experienced with other front wheel drive articulated trucks related to the present application. Such front wheel drive arrangement also avoids the requirement of a differential drive for the rear wheels in order to allow one rear wheel to rotate either faster or slower than the other rear wheel when the vehicle is cornering.

The cited reference of Callan et al. '038 addresses the problem of differential drive on the rear wheels of the truck with one or two driven front wheels. As this is no longer a problem with respect to the truck covered by the presently claimed application, the Applicant respectfully submits it would not be obvious to look at the cited reference in order to arrive at the presently the claimed invention which covers "a pair of undriven rear ground engaging wheels (16) mounted on transverse axes" and "only the front wheel (40) has drive means (44, 46)." In view of the forgoing, it is respectfully submitted that the raised anticipatory rejection in view of Callan et al. '038 should be withdrawn at this time.

The Applicant acknowledges that the additional reference of Hagin et al. '020 may arguably relate to the feature(s) indicated by the Examiner in the official action. Nevertheless, the Applicant respectfully submits that the combination of the base reference of Callan et al. '038 with the additional art of Hagin et al. '020 still fails to in any way teach, suggest or disclose the above distinguishing features of the presently claimed invention. Hagin et al. '020 also fails to in any way, teach, suggest, disclose or remotely hint at the above noted feature of only driving the front wheel of the vehicle. As such, all of the raised rejections should be withdrawn at this time in view of the above amendments and remarks.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Callan et al. '038 and/or Hagin et al. '020 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end,

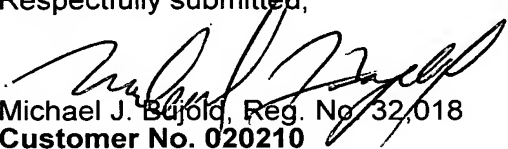
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in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time. If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



Michael J. Bujold, Reg. No. 32,018

Customer No. 020210

Davis Bujold & Daniels, P.L.L.C.

112 Pleasant Street

Concord, NH 03301-2931

Telephone 603-226-7490

Facsimile 603-226-7499

E-mail: patent@davisandbujold.com

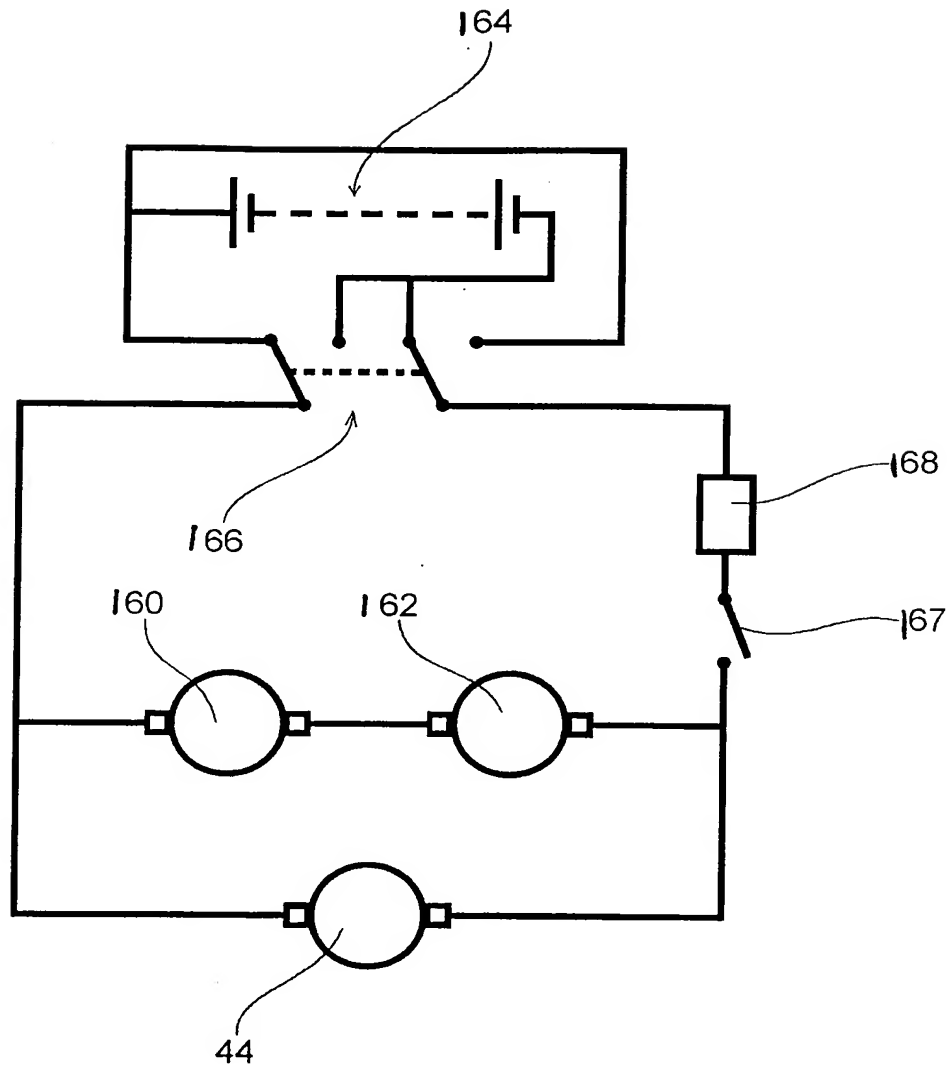


Fig 6.